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C O N F I D E N T I A L SECTION 01 OF 02 LILONGWE 000719

SIPDIS

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TAGS: [PGOV](#) [KDEM](#) [EFIN](#) [PINR](#) [MI](#)

SUBJECT: SPARKS OF INDEPENDENCE FROM THE COULD-BE REFORM
PRESIDENT

REF: LILONGWE 652

Classified By: Pol/Econ Officer Peter W. Lord, reasons 1.5 (b/d).

SUMMARY

1. (C) Mere days after former President Muluzi left on his annual (government-funded) ex-presidential vacation, President Bingu wa Mutharika replaced several key government officials. He appointed a new Commander of the Army (reftel), a new Director of Public Prosecutions, and a new Chief of Staff. In addition, he divided the Secretary to the Office of the President and Cabinet (OPC) into two separate positions: a secretary to OPC and a head of the civil service. Appointing professionals and personal loyalists, Mutharika demonstrated a sudden display of independence from the former President, albeit in Muluzi's absence from the country, that has come much to the consternation of the United Democratic Front's (UDF) old guard. With the ruling UDF's working majority in Parliament a result of Muluzi's dealings, Mutharika is gambling on the notion that people want reform so badly that opposition parties will support his initiatives. END SUMMARY.

NEWLY FOUND INDEPENDENCE?

2. (C) Within days after former President Muluzi departed on his annual (government-funded) ex-presidential vacation, President Bingu wa Mutharika replaced key government officials loyal to Muluzi and the ruling United Democratic Front (UDF) with professionals and Mutharika loyalists. Muluzi is expected to return to Malawi in mid-August.

DPP TO PROSECUTE FOR CORRUPTION

3. (C) The largely ineffectual (and often counterproductive) Director of Public Prosecutions (DPP) Fahad Assani was controversially replaced with Ishmael Wadi, an unknown, seemingly idealistic lawyer with little experience. In a July 28 meeting with poloff, Wadi forthrightly outlined several corruption cases involving former and current ministers (including the Vice President) and declared his intention to take their cases to court. Clearly versed in the outstanding cases in his office and the authorities of his position, Wadi said he planned to maintain the independence of the DPP and indiscriminately try cases based on the facts.

4. (C) Talking about the political pressure on his position, Wadi said he would rather resign than compromise on a case and that he plans to use the media to expose anyone trying to pressure him. Wadi also said he has already assigned three new public prosecutors to the Anti-Corruption Bureau, which had lost all of its lawyers to political pressure and salary payment problems. (NOTE: Wadi has not yet been confirmed by the parliamentary committee on Public Appointments. The committee, which was formed on July 27, plans to consider the Wadi appointment the week of August 2. The Malawi Congress Party (MCP), the principal opposition party in Parliament, has already publicly declared its support for Wadi. END NOTE.)

CHIEF OF STAFF COMMENTS ON FORMER ADMINISTRATION

5. (C) On June 30, Mutharika appointed Ken Ng'oma as Chief of Staff. Ng'oma, who was Secretary General of Mutharika's pre-UDF political party, has made strong and public statements about "gross mismanagement" in the Muluzi administration. In a July 28 meeting with poloff, Ng'oma said that weeding out corruption is one of his major priorities and that he plans to deal with perpetrators regardless of their status in the party. Ng'oma dismissed the idea that Mutharika's newly found independence would subside with Muluzi's return. He intimated that Mutharika will be making further "big changes" and that we should "expect fireworks" upon Muluzi's return. Discussing the growing displeasure of the UDF's old guard, Ng'oma simply commented that they were wrong to think that they could control Mutharika because Mutharika is "a man of principle."

COMMENT

6. (C) Mutharika's show of independence began when Muluzi left the country, and the strong reform statements of his prima facie free-thinking appointees have yet to be translated into action. Without such action, Mutharika has a

long way to go to establish himself as the reform President
he advertises himself to be.

17. (C) COMMENT CONTINUED. However, if the Mutharika
administration does try to implement its proposed reforms, it
may find itself without the necessary political support,
having isolated many UDF parliamentarians and heavy-weights.
The gamble that Mutharika makes is that opposition and civil
society groups will politically support him if he brings
about genuine change and that he does not truly need the
support of his own party. END COMMENT.
RASPOLIC